

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

TEEN MODEL (a minor), by her parents,
PARENTS,

Plaintiffs,

-against-

JASON LEE PARRY, BLOOD IS THE NEW
BLACK, UBAN OUTFITTERS, INC., and
BRANDY & MELVILLE N.Y. INC.,

Defendants.

Civ. Act. No.: 11CV5766 (GBD)

MOTION TO DISMISS THIRD CLAIM FOR RELIEF

BY DEFENDANT EST. 1844, LLC DBA BLOOD IS THE NEW BLACK

SEDGWICK LLP
Attorneys for Defendant
EST. 1844, LLC dba BLOOD IS THE NEW BLACK
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Of Counsel:
Jessika J. Moon, Esq.

PLEASE TAKE NOTICE that, upon the accompanying Motion to Dismiss Third Claim for Relief By Defendant EST. 1844, LLC DBA BLOOD IS THE NEW BLACK's, served on November 30, 2011, and the documents filed herein to date, the defendant EST. 1844, LLC DBA BLOOD IS THE NEW BLACK ("BITNB"), by its attorneys, Sedgwick LLP, will move the Court on February 14, 2012 at 11:00 a.m. EST or as soon thereafter as counsel can be heard, before the Hon. George B. Daniels, at the United States Courthouse, Southern District of New York located at 500 Pearl Street, New York, NY 10007-1312 for an Order pursuant to Federal Rules of Civil Procedure Rule 12(b)(6) dismissing the third claim for relief of the First Amended Complaint based on the failure to state a claim upon which relief can be granted.

Dated: November 30, 2011

Respectfully Submitted,

/s/ Kanika D. Corley

James J.S. Holmes (Admitted *pro hac vice*)

Kanika D. Corley (Admitted *pro hac vice*)

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Attorneys for Defendant,

EST. 1844, LLC dba BLOOD IS THE NEW
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CERTIFICATE OF SERVICE

I, JESSIKA J. MOON, hereby certify and affirm that a true and correct copy of the attached **MOTION TO DISMISS THIRD CLAIM FOR RELIEF BY EST. 1844, LLC DBA BLOOD IS THE NEW BLACK** was served via ECF and via regular mail on **November 30, 2011**, upon the following:

Laura L. Chapman, Esq.
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Dated: New York, New York
November 30, 2011

/s/ Jessika J. Moon
Jessika J. Moon